

REMARKS

The office action of September 14, 2010, has been carefully considered.

It is noted that claims 1-3, 5-9, 14 and 15 are rejected under 35 U.S.C. 102(e) over the patent to Starcevic.

Claims 10-13 are rejected under 35 U.S.C. 103(a) over Starcevic in view of the patent to Milton.

In view of the Examiner's rejections of the claims, applicant has canceled claim 5, and amended claim 1. Since claim 5 was previously considered, it is submitted that the present amendment, which incorporates the subject matter of this claim into independent claim 1, does not raise any new issues which would prevent entry of the present amendment.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods and constructions disclosed in the references.

Turning now to the references and particularly to the patent to Starcevic, it can be seen that this patent discloses a process for treating acidic and metallic waste water. The Examiner argues that claim 5 of the present application is anticipated because Starcevic teaches that the residues of free acids existing in the first partial stream are converted into metal salts according to step a) using metal hydroxides (see col. 6, lines 50-65).

Applicant submits that this is not correct because Starcevic merely discloses the use of gaseous ammonium, ammonium compounds such as ammonium hydroxide, and ammonia providing compounds such as urea, for converting the free acids into metal salts. According to the present invention as recited in amended claim 1, hydroxides, oxides and/or carbonates of the metals used in the pickling bath are used for converting the free acids into metal salts. Thus, it is advantageously possible to use the metals in the waste water for the recycling process. The metals in the waste water are precipitated and filtered off by adding neutralization chemicals, e.g. potassium hydroxide and the precipitated metals are transferred as metal hydroxides in the stream 11 into the reactor 5 in order to convert the free acids into metal salts.

There is no disclosure or suggestion by Starcevic that

hydroxides, oxides and/or carbonates of the metals used in the pickling bath can or should be utilized for converting the free acids into metal salts, as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-3, 5-9, 14 and 15 under 35 U.S.C. 102(e) over the above-discussed reference is overcome and should be withdrawn.

The patent to Milton et al. discloses membrane processes for metal recovery and pollution control in metal process industries. At column 4, lines 19-31, Milton et al. disclose the treatment of rinse wash water obtained in lead-acid storage battery manufacture, comprising a dilute sulfuric acid solution containing some dissolved lead as lead sulfate, and particulate material such as lead in elemental form or as lead sulfate. The dissolved lead may be removed by adjusting the pH of the stream, for example by neutralizing to a pH of preferably about 8 with a relatively concentrated base such as magnesium hydroxide, sodium hydroxide and/or sodium sulfate, recycled from a later stage in the process. Milton et al. merely refer to "nitrate-free" pickling using e.g. sulfuric acid as the pickling acid medium. The presently claimed invention recites to pickling using nitric acid. Nitric acids

provide a higher quality than sulfuric acid for pickling stainless steel. Thus, a person of ordinary skill in the art trying to modify a method for treating waste water from pickling stainless steel would not look to the teachings of Milton et al. for any suggestions.

The Examiner combined Milton et al. with Starcevic in determining that claims 10-13 would be unpatentable over such a combination. Applicant respectfully submits that neither of these references, nor their combination, teach a method for recycling metal pickling baths as recited in amended claim 1 presently on file.

In view of these considerations it is respectfully submitted that the rejection of claims 10-13 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and

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Trademark Office Deposit Account No. 02-2275.

Respectfully submitted,

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Dated: February 14, 2011

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Date: February 14, 2011